GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:4766
ANSWERED ON:24.08.2000
APPOINTMENT OF SC/ST AS CENTRAL GOVERNMENT ADVOCATES
K.H. MUNIYAPPA

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the total number of Senior Central Government Standing Councils and Central Government Standing Councils in the Supreme Court and various High Courts as on January 1, 1996 and January 1, 2000 and total number of persons belonging to the SCs/STs communities along with their percentage as compared to the total number of such persons ;

(b) whether the ` Forum of SC/ST Parliamentarians ` has submitted representations to the Prime Minister on December 12, 1996, September 1, 1997 and July 23, 1998 regarding the posting of persons belonging to the SCs/STs in important assignments in the higher Judicial Administration; and

(c) if so, the action taken thereon?

Answer

MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (INDEPENDENT CHARGE) AN MINISTER OF STATE OF THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (INDEPENDENT CHARGE) (SHRI ARUN JAITLEY)

(a) The total number of government counsels/panel counsels in the Supreme Court and HighCourts was 547 and 1136 as on January 1, 1996 and January 1, 2000, respectively. Since there is no reservation for SCs/STs in the matter of engagement of counsels, no separate account is maintained regarding engagement of SC/ST counsels.

(b) The representations were submitted by the Forum to the Prime Minister on December 12, 1996, September 1, 1997 and July 23, 1998.

(c) The appointment of judges of the Supreme Court and the High Courts is made in terms of Article 124 and Article 217 of the Constitution of India respectively, which do not provide for reservation for any caste or class of persons. The Government have, however, addressed letters to the Chief Ministers of the States and the Chief Justices of the High Courts from time to time requesting them to locate suitable persons from the Bar belonging to Scheduled Castes, Scheduled Tribes, other backward classes, Minorities and Women for appointment as High Court Judges. As per Articles 233, 234 and 235 of the Constitution of India, the matters relating to appointment, promotion and posting of persons in District and Subordinate Judiciary are within the purview of the respective State Governments and High Courts.